

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 28, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LUIS ANDRE PEREZ, a single person,

No. 2:24-CV-00022-MKD

Plaintiff,

ORDER DENYING
STIPULATED MOTION TO
DISMISS AS MOOT

v.
STATE OF WASHINGTON,
SPOKANE COUNTY, THE CITY OF
AIRWAY HEIGHTS, WASHINGTON
STATE DEPARTMENT OF
CORRECTIONS, AIRWAY HEIGHTS
CORRECTIONS CENTER,
SUPERINTENDENT JAMES R. KEY,
and CORRECTIONS OFFICER
ANDREA PORTER,

ECF No. 12

Defendants.

Before the Court is a Stipulated Motion to Dismiss. ECF No. 12. A plaintiff may dismiss an action without court order by filing a stipulation of dismissal signed by all parties who have appeared. Fed. R. Civ. P. 41(a)(1)(A)(ii). Plaintiff and Defendant Spokane County have stipulated that all claims against Defendant Spokane County should be dismissed with prejudice and without costs. ECF No.

ORDER - 1

1 12. However, the Court previously granted a stipulated motion to dismiss and
2 dismissed Defendant Spokane County on February 12, 2024. ECF No. 10.

3 Accordingly, **IT IS HEREBY ORDERED:**

4 1. The parties' stipulated motion, **ECF No. 12**, is **DENIED as moot**.

5 **IT IS SO ORDERED.** The District Court Executive is directed to file this
6 Order and provide copies to counsel.

7 DATED March 28, 2024.

8 *s/Mary K. Dimke*
9 MARY K. DIMKE
10 UNITED STATES DISTRICT JUDGE

11
12
13
14
15
16
17
18
19
20

ORDER - 2